

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In re:

Colleen Anne Van Epps and  
Richard Alan Van Epps

Debtors.

Chapter 7

Notice of Motion to Avoid Liens  
Bk. No: 2-17-21044-PRW

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**NOTICE OF MOTION TO AVOID LIENS**

PLEASE TAKE NOTICE OF THE FOLLOWING MOTION BY DEBTOR:

**TIME:** November 12, 2020 at 10:00 A.M.  
Or as soon thereafter as Counsel may be heard

**PLACE:** United States Bankruptcy Court, U.S. Courthouse  
100 State Street, Rochester, NY 14614

**RELIEF SOUGHT:** An Order avoiding judgment liens

**PAPERS SUBMITTED:** (1) Notice of Motion, (2) Motion, (3) Exhibits A-D, (4) Proposed Order

**PURSUANT TO FRBP 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN; IF YOU INTEND TO OPPOSE THE MOTION, AT A MINIMUM, YOU MUST SERVE; (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTOR AND DEBTOR'S COUNSEL; (B) IN A CHAPTER 11 CASE, THE CREDITORS' COMMITTEE AND ITS ATTORNEY, OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THE MOTION NOTWITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS TO FRI3P 9006(a). IN THE EVENT THAT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION UNOPPOSED.**

**Dated:** October 26, 2020

/s/ Michael A. Furlano

**Michael A. Furlano, Esq.**

LEGAL AID SOCIETY OF ROCHESTER, NY

*Debtor's Attorney*

One West Main Street, Suite 800

Rochester NY 14614

(585) 295-5763

TO: 1. Lucien A. Morin, II 2. Kathleen D. Schmitt 3. Creditors as per  
*Chapter 7 Trustee* *United States Trustee* attached list  
100 State Street, Room 6090  
Rochester, NY 14614

### **Interested Creditors**

1. Richard D. Fairbank  
CEO and President  
Capital One Bank (USA) N.A.  
1680 Capital One Drive  
McLean, VA 22101-3491
2. Rubin and Rothman, LLC  
Attorney for Creditor Capital One Bank (USA) N.A.  
1787 Veterans Highway  
Islandia, N.Y. 11749
3. Seterus Inc.  
14523 SW Millikan Way  
PO Box 1077  
Hartford, CT  
06143-1077